IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8605 OF 2006

Kuddus A.Rahiman Shaikh)..Petitioner

Versus

The Principal, The merry B.Harding
Jr.College of Education & Ors.)..Respondents

Ms.Smita Mane i/by P.B.Shah for the petitioner.

Mr.T.D.Deshmukh for respondent no.2.

Mr.C.R.sonawane AGP for respondent nos.3 & 4.

Coram : S.B.Mhase &
R.S.Mohite,JJ

Date : 12.06.2007

PC

1. The petitioner is a B.A.,B.P.ED. Even though he was working from 1990-93, his proposal was not submitted by the management for approval. It is further to be noted that his service book is prepared in the year 2003 by the Headmistress. However, the services rendered by him in other school, secondary school and in junior college of Education have not been recorded in his service book at the relevant time. For such a lapse, the Government is not responsible. Above all, it is pointed out that being B.A.,B.P.ED, he is not qualified to teach the regular subjects except physical education. Under these circumstances, we find that there are several disputed facts.

Petition suffers from delay and latches and also suffers from non joinder of necessary party. Therefore, we do not feel it appropriate to entertain this petition. Petition is therefore, rejected.

(R.S.Mohite,J) **(S.B.Mhase,J)**